

**REQUEST, SOLICITATION AND INVITATION
FOR PROPOSAL FOR THE POSITION OF
WESTAMPTON TOWNSHIP ALTERNATE PUBLIC DEFENDER**

You are requested to provide your proposal to the Township of Westampton, County of Burlington and State of New Jersey for consideration of your office for the position of Township Municipal Court Alternate Public Defender for the Township of Westampton for calendar year 2017. Notice of the year 2017 appointment to the position of Township Municipal Court Alternate Public Defender for Westampton Township was previously published in the newspaper, along with time and format requirements for the submission of the proposal. This Page 1 of the Request, Solicitation and Invitation is not a substitute for the published notice. For your convenience, a copy of the said published notice is attached hereto at page 2 hereof. You must comply strictly with the submission requirements set forth therein.

Your proposal must be received by the Office of the Municipal Clerk of the Township of Westampton at the Westampton Municipal Building, 710 Rancocas Road, Westampton, NJ 08060. All proposals must be received by November 28, 2016, at 3:00 P.M. and be submitted in the form required by the advertisement reproduced on page 2 and as otherwise required herein. No late submissions will be accepted. All properly submitted proposals will be opened on November 28, 2016, beginning at 3:30 PM., in the public meeting room of the Municipal Complex. At that time and place, the sealed proposals will be publicly opened, announced and recorded for the following position:

TOWNSHIP MUNICIPAL COURT ALTERNATE PUBLIC DEFENDER

**THE FOLLOWING IS A RESTATEMENT OF THE NOTICE PRINTED IN THE
NEWSPAPER:**

TOWNSHIP OF WESTAMPTON

PUBLIC NOTICE

Please be advised that the Township of Westampton will accept proposals for the following positions for 2017:

TOWNSHIP ATTORNEY, TOWNSHIP AUDITOR, TOWNSHIP LABOR
COUNSEL, TOWNSHIP BOND COUNSEL, TOWNSHIP ENGINEER,
TOWNSHIP PLANNER, TOWNSHIP PROSECUTOR, TOWNSHIP
ALTERNATE PUBLIC DEFENDER, TOWNSHIP RISK MANAGEMENT
CONSULTANT, ALTERNATE ALTERNATE PUBLIC DEFENDER, LAND
DEVELOPMENT BOARD ATTORNEY, LAND DEVELOPMENT BOARD
ENGINEER.

The proposals and instructions are available on the Township Website:

www.westamptonnj.gov under Departments: Administration: RFP's and
Purchasing.

The proposals must be received on or before November 28, 2016 at 3:00 P.M.

They will be opened on November 28, 2016 at 3:30 PM.

Marion Karp

Municipal Clerk

I. INTENT

The Township Committee of the Township of Westampton, County of Burlington and State of New Jersey intends to appoint and fill, for calendar year 2017, the position of Township Municipal Court Alternate Public Defender of the Township of Westampton. The effective date of the contract will be January 2, 2017, the date of the Westampton Township Reorganization. Sealed proposals will be received and opened at the times, dates and place set forth in the notice attached at Page 2 hereof.

The General Criteria articulated herein at Section III for the selection of Township Municipal Court Alternate Public Defender have been specifically approved by the Township Committee of the Township of Westampton. Those criteria and the other requirements herein are intended to be non-restrictive for the purpose of obtaining participation of qualified professionals and uniformity in the manner of submission of proposals.

The successful proposal shall become a part of the signed contract upon award and execution of said contract. There will be no award or appointment to the position of Township Municipal Court Alternate Public Defender until formal approval by the Township Committee has been made by resolution at the Township's reorganization meeting on January 2, 2017.

As per the provisions of *N.J.S.A. 19:44A-20.4 et seq.*, the Township of Westampton shall be the sole judge concerning the criteria set forth herein and the merits of the proposals submitted. The Township of Westampton shall be the sole judge of the benefits to Westampton Township represented by the submissions pursuant to this Request, Solicitation and Invitation for proposal.

II. INSURANCE

This Request, Solicitation and Invitation for proposal is for the appointment of a professional or quasi-professional position with the Township of Westampton or a position for which there is a bidding exemption under *N.J.S.A. 40A:11-1 et seq.* Each proposer should have professional errors and omissions insurance. Attached hereto at Attachment A is the Certification of Insurance. Said Certification must be executed and documents attached thereto by the proposer to the extent that the proposer believes that the attachment of such documents provide proof of insurance for appropriate purposes. Errors and omission policy, if any, declaration page shall be attached showing current protection.

During the term of the contract, it shall be the responsibility of the proposer/professional to provide the Township with additional declaration pages of insurance in compliance with this paragraph showing current coverage when

any insurance policy expires. Submission of proof of the required insurance coverage in the form of a certificate or certificates of insurance is a continuing condition precedent to service by the professional that receives the appointment.

III. PROFESSIONAL EVALUATION AND RANKING METHODOLOGY

A. GENERAL CRITERIA

All proposals shall be evaluated using the following criteria:

1. Professional qualifications;
2. Experience generally in the proposer's profession, including years spent practicing law in any capacity in the municipal courts of the State of New Jersey and exposure to issues likely to be of assistance in properly serving as the Westampton Township Alternate Public Defender;
3. Knowledge of Westampton Township;
4. The ability of the proposer to attend all sessions of the Westampton Township Municipal Court or those as directed by the Municipal Court Judge;
5. Absence from client base of any client(s) who is currently or has in the past five years done business with Westampton Township. In the alternative, the proposer can articulate the name(s) of such clients and the nature of that client's business with the Township. For purposes of this subparagraph, "doing business with the Township" includes vending or other contractual obligations to the Township or being an applicant before any Township board or subdivision of the Township.
6. Compensation proposal;
7. Other factors if demonstrated to be in the best interest of the Township of Westampton.

B. DUTIES OF THE MUNICIPAL ALTERNATE PUBLIC DEFENDER

The Alternate Public Defender's obligations are as follows:

The Township Alternate Public Defender shall defend criminal and quasi-criminal business before the Municipal Court of the Township of Westampton in those cases in which his or her services are awarded to a defendant after review by the Municipal Court Judge of an application for such legal services."

Further responsibilities are as follows:

The responsibilities of the Municipal Alternate Public Defender and the Municipal Court, as they relate to the appointment of a Municipal Alternate Public Defender, shall be controlled by the provisions of N.J.S.A. 2B:12-28 *et seq.*

IV. CONTRACT PERIOD

Contract period is ONE (1) YEAR. The period of responsibility is January 2, 2017 through December 31, 2017 or until a successor is selected at the year 2018 reorganization meeting of the Township Committee, presently not scheduled. All contracts are contingent on funding.

V. PROPOSAL FORM

APPOINTMENT OF TOWNSHIP MUNICIPAL COURT ALTERNATE PUBLIC DEFENDER

All proposals submitted in response to the within Request, Solicitation and Invitation for proposal shall utilize the form of correspondence on the next page hereof as the cover sheet of such proposal. There shall be attached to said letter/cover sheet succeeding pages setting forth your proposal/responses. Your proposal must follow the format herein at Pages 1 through 6. In order for your proposal to meet the requirements of the Request, Solicitation and Invitation, the form of correspondence set forth herein below shall be fully completed and executed. Attachments or certifications set forth as attachments or certifications A, B, C and D attached to this form, shall be completed and originally executed. Failure to attach required documents is cause for disqualification.

All erasures and/or changes to the original documentation submitted must be initialed by the individual making modifications to the proposal. Use separate and additional pages to respond specifically to each Section, specifically Section III hereof, which sets forth the criteria that the Township Committee will utilize in evaluating your proposal and determining the selection of the Township Municipal Court Alternate Public Defender. In the event that the proposal is being made by a law firm containing more than one person, the first page of the proposal, in the cover letter set forth on the next page, shall also recite the name of the supervising attorney, if any, and the name of the attorney that the firm will assign to do the work of the Township of Westampton.

Date:

Township Committee
Township of Westampton
710 Rancocas Road
Westampton, NJ 08060

Dear Members of the Township Committee:

The undersigned hereby submits the enclosed proposal for the position of Township Municipal Court Alternate Public Defender.

The undersigned hereby undertakes and promises to serve as Township Municipal Court Alternate Public Defender in the Township of Westampton and to do all work requested as appropriate and required herein as well as the contract documents concerning the same, including all written amendments and changes thereto, if any, which are incorporated herein by reference and made a part of this proposal.

SIGNATURE

BUSINESS NAME

Type or Print Full Name

Title

Date

Telephone Number

Fax-Telephone Number

ATTACHMENT A

CERTIFICATION OF INSURANCE

I HEREBY CERTIFY THAT MY OFFICE CARRIES INSURANCE ADEQUATE TO COVER THE TOWNSHIP OF WESTAMPTON AND PROTECT THE TOWNSHIP FOR ANY ERROR OR OMISSION COMMITTED BY THE UNDERSIGNED THAT CREATES LIABILITY TO THE TOWNSHIP. THIS INCLUDES ERRORS AND OMISSION POLICY AND ANY OTHER TYPE OF POLICY WHATSOEVER THAT CAN BE UTILIZED TO PROTECT THE INTERESTS OF THE TOWNSHIP OF WESTAMPTON. I HAVE ATTACHED HERETO COPIES OF THE DECLARATION PAGES OF EACH SUCH POLICY THAT I ASSERT DOES OR CAN PROTECT THE TOWNSHIP OF WESTAMPTON FROM ANY ERROR, OMISSION OR ACTIVITY IN WHICH I OR ANYONE FROM MY OFFICE MIGHT ENGAGE ON BEHALF OF THE TOWNSHIP OF WESTAMPTON.

I FURTHER CERTIFY THAT THE POLICIES OF INSURANCE THAT ARE CARRIED BY MY OFFICE SHALL CONTINUE TO BE CARRIED DURING THE ENTIRE TERM OF MY APPOINTMENT AS TOWNSHIP MUNICIPAL COURT ALTERNATE PUBLIC DEFENDER FOR THE YEAR 2017, IN THE EVENT THAT MY OFFICE IS SELECTED TO SERVE IN THAT CAPACITY. IN THE EVENT THAT THE DECLARATIONS PAGE(S) SUBMITTED HEREWITH SHOWS THE POLICY OR POLICIES OF INSURANCE WILL LAPSE DURING THE COURSE OF THE CALENDAR YEAR, I WILL PROVIDE TO THE TOWNSHIP A COPY OF THE RENEWAL POLICY DECLARATION PAGE. I FURTHER CERTIFY THAT THE RENEWED POLICY SHALL HAVE THE SAME OR GREATER LIMITS OF LIABILITY AS THE ONE PROVIDED FOR THE BEGINNING OF CALENDAR YEAR 2017.

CERTIFYING OFFICIAL: _____ NAME: _____

TITLE

SIGNATURE: _____

DATE: _____

ATTACHMENT B

CONFLICT OF INTEREST CERTIFICATION

THE UNDERSIGNED CERTIFIES TO THE TOWNSHIP OF WESTAMPTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY THAT IN PERFORMING SERVICES TO THE TOWNSHIP HE/SHE IS AWARE OF NO CIRCUMSTANCE THAT WOULD CONSTITUTE A CONFLICT OF INTEREST, FINANCIAL OR OTHERWISE, BETWEEN HIMSELF/HERSELF (OR HIS/HER FIRM) AND THE INTERESTS OF THE TOWNSHIP OF WESTAMPTON. THE UNDERSIGNED CERTIFIES THAT HE/SHE HAS MADE A SEARCH OF HIS/HER FIRM'S CLIENT BASE AND HAS EXECUTED THIS CERTIFICATION SUBSEQUENT TO SUCH SEARCH.

THE UNDERSIGNED ACKNOWLEDGES THIS IS A CONTINUING CERTIFICATION, AND SHALL REMAIN IN EFFECT FOR THE TERM OF THE SERVICES CONTAINED IN THE SOLICITED REQUEST FOR PROPOSAL. I CERTIFY THAT THE FOREGOING STATEMENTS MADE BY ME ARE TRUE. I AM AWARE THAT IF ANY OF THE FOREGOING STATEMENTS MADE BY ME ARE FALSE, THE TOWNSHIP IS FREE TO TERMINATE ANY PROFESSIONAL SERVICE AGREEMENT ENTERED INTO WITH THE UNDERSIGNED AND/OR HIS OR HER LAW FIRM.

Applicant Signature:_____

Typed Firm Name:_____

Title:_____

Date:_____

ATTACHMENT C

I HEREBY CERTIFY THE INFORMATION CONTAINED IN THIS PROPOSAL IS CORRECT AND ACCURATE TO MY PERSONAL KNOWLEDGE. I AM MAKING THIS CERTIFICATION IN GOOD FAITH.

CERTIFYING OFFICIAL:

NAME: _____

TITLE _____

SIGNATURE: _____

DATE: _____

ATTACHMENT D

**ATTACHMENT CERTIFYING UNDERSTANDING OF WESTAMPTON TOWNSHIP
CODE AS IT RELATES TO GIFTS, HONORARIA, ETC.**

THE UNDERSIGNED HEREBY CERTIFIES THAT HE/SHE IS FAMILIAR WITH THE PROVISIONS OF THE WESTAMPTON TOWNSHIP CODE RELATING TO THE ADOPTION BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WESTAMPTON OF THE NEW JERSEY MUNICIPAL ETHICS RULES. THE UNDERSIGNED UNDERSTANDS THAT VIOLATION OF THESE RULES CAN RESULT IN A BREACH OF THE TERMS OF THE AGREEMENT TO ACT AS THE TOWNSHIP MUNICIPAL COURT ALTERNATE PUBLIC DEFENDER FOR WESTAMPTON TOWNSHIP AND CAN RESULT IN A TERMINATION OF THE CONTRACT BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WESTAMPTON.

Date:_____

Signature

Print Name